



Michael Miller &lt;mmeistermiller@gmail.com&gt;

**(no subject)**

2 messages

Michael Miller &lt;mmeistermiller@gmail.com&gt;

Thu, Mar 3, 2016 at 8:32 AM

To: gperreira@waterboards.ca.gov

Gayleen,

Greetings. I just phoned you number and another person answered. Please write me with some information. The Sixteen to One is under duress from the prosecution team for one test result for antimony (this is new in our permit and it was the first test. We asked for help prior to the meeting last Monday. The current government approach is unreasonable as we now face another MMP fine of \$6,000.

The next tests were within the limit and we have reasons to believe the lab made a mistake. There are no reports of antimony as a factor in our area. Why is the water agency pushing for money instead of helping us understand this new testing requirement? I remember conversations with your department that we could discuss points of concern after the Board ratified the permit. This hasn't happened.

You, I wish, do not believe what others are telling me regarding the reasons my Company is being treated as willful toxic dischargers into the water of California. People with different motives want to shut down this mine along with all mining in California. If it is true, it is not in the public's best interest.

Mike

Perreira, Gayleen@Waterboards &lt;Gayleen.Perreira@waterboards.ca.gov&gt;

Thu, Mar 3, 2016 at 8:55 AM

To: Michael Miller <mmeistermiller@gmail.com>, "Wyels, Wendy@Waterboards" <Wendy.Wyels@waterboards.ca.gov>, "Altevogt, Andrew@Waterboards" <Andrew.Altevogt@waterboards.ca.gov>, "Palmer, Joshua@Waterboards" <Joshua.Palmer@waterboards.ca.gov>

Michael,

Greetings also.

Since I am no longer employed at the Central Valley Regional Water Quality Control Board I forwarded your email to the appropriate staff, Ms. Wendy Wyels and Mr. Andrew Altevogt.

Mr. Joshua Palmer holds the position of the Senior Water Resource Control Engineer within the Central Valley Regional Water Quality Control Board for the permitting unit.

Gayleen

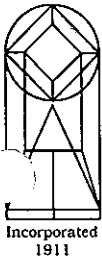
From: Michael Miller [mmeistermiller@gmail.com]

Sent: Thursday, March 03, 2016 4:32 PM

To: Perreira, Gayleen@Waterboards

Subject:

[Quoted text hidden]



# ORIGINAL SIXTEEN to ONE MINE, Inc.

"100 Years of Gold"

Post Office Box 909 • Alleghany, California 95910  
(530) 287-3223 • [www.origsix.com](http://www.origsix.com)

February 24, 2016

Central Valley regional Water Quality Control Board  
Attn: Andrew Altevogt

Re: Administrative Civil Liability Complaint R5-2016-0511 for assessment of mandatory minimum penalties, Original Sixteen to One Mine, Inc., Sixteen to One Mine, Sierra County

## Letter supporting request for settlement discussions

In the mine's letter dated January 4<sup>th</sup> in response to the notice of violation, a request was made for more information as to why antimony was added to the discharge permit. No reply was received by the discharger. While it is possible that lab results are in error, the mine is not aware of the proper procedure for contesting the lab results. PLEASE ADVISE HOW THIS IS DONE.

It recently came to our attention that Cranmer Engineering is under new ownership and has consistently provided erroneous water test results to Alleghany County Water District (ACWD) over the last few months. At a recent ACWD meeting the State DDW Inspector for ACWD confirmed that other entities besides ACWD are having the same problem with this lab.

It is also possible that the presence of antimony is the result of iron shavings which were put in the 21 tunnel several years ago in order to create a passive arsenic filter. We have consulted with a geologist and are working to mitigate this issue if it is a problem.

Antimony, its properties, uses and relationship in the Alleghany Mining District is a new subject for discharger, Original Sixteen to One Mine, Inc. (Sixteen to One). Surface placer mining began here in 1850, in an intermittent creek, Kanaka Creek, named after Hawaiians who left San Francisco to search for gold. In the late 1800's and early 1900's Californian discovered ancient tertiary placer deposits underground and covered with lava. Operation continued for three decades, when economic mining operations ceased. Old timers remembered that quartz veins were found protruding through the dead river bed rock. This started another new operation called 'Hard Rock Underground Gold Mining'. Antimony has never been a topic of interest since 1850.

Sixteen to One mine has continuously operated since 1896 and the operator, incorporated in California in 1911, is the oldest gold mining company in North America. During its one hundred plus years of extensive geological study and interest, no data references antimony as a

significant or minor naturally occurring element. Antimony makes up about 0.00002% of the earth's crust. There is no historical evidence that mining operations in the past contributed to an increase in antimony to be used in business. Sixteen to One current management has never used or introduced antimony in its operations, which date back to 1975. This subject is new and unfamiliar.

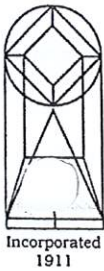
Sixteen to One is eager to investigate any relationship of antimony as a health hazard in the natural water percolating through its properties in the Alleghany Mining District. It requests assistance from California's water agencies in this investigation.

For all of the ~~all of the~~ reasons explained above, the discharger requests approval of our request for settlement discussions.

Sincerely,

A handwritten signature in black ink that reads "Michael M. Miller". The signature is written in a cursive, flowing style.

Michael M Miller  
President



# ORIGINAL SIXTEEN to ONE MINE, Inc.

"100 Years of Gold"

Post Office Box 909 • Alleghany, California 95910  
(530) 287-3223 • www.origsix.com

January 4, 2016

Central Valley Regional Water Quality Control Board  
Kari Holmes PE

RE: Notice of violation and Draft Record of Violations for Assessing mandatory minimum penalties,  
Original Sixteen to One Mine, Inc, Sixteen to One Mine, Sierra County

Mr. Holmes:

The above referenced notice dated December 18<sup>th</sup> was received by our office on December 29, 2015. Our office staff was off between Christmas and New Year's. Today's deadline (per the notice) does not provide much time to respond.

Original Sixteen to One Mine, Inc. would like more information as to why antimony monitoring was added to the new discharge permit, but was not required on previous discharge permits. It is possible that the lab made a mistake with the test results in April. We have no way of verifying if this is the case at this point in time. We object to the proposed penalties as they are excessive considering the lack of history in this area. No previous antimony tests.

As to the requirement for submitting the monitoring results using the CIWQS Program Web Site, it was an oversight on our part that the reports were not submitted that way. It is surprising that nobody notified us of this sooner. The notice sent on November 12<sup>th</sup> of deficient reporting did not mention it, nor was it brought up in subsequent email inquiries that were sent to Alejandra Serratos. An email and phone call have been directed to Alejandra seeking verification as to whether or not the Second and Third Quarter reports need to be resubmitted. The last e-mail correspondence with Alejandra indicated that we had satisfied the Deficient Reporting portion of the November 12<sup>th</sup> notice by providing both the Reporting Levels (RLS) and Method Detection Limits (MDLS).

Sincerely,

*Michael M Miller*  
Michael M Miller  
President  
RA.



Rae Bell Arbogast <original1621@gmail.com>

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**NOTICE of violation dated 12/18/15**

1 message

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**Original Sixteen to One Mine, Inc.** <original1621@gmail.com>  
To: aserratos@waterboards.ca.gov

Mon, Jan 4, 2016 at 10:34 AM

Hi Alejandra,  
I left a voice mail as well. I was out for most of the holidays and just got the above referenced notice. The notice does not state clearly if we have to resubmit the first two quarters using the CIWQS program Web site or not. Please advise.

*Rae Bell Arbogast  
Administrative Assistant  
530-287-3223*



Rae Bell Arbogast <original1621@gmail.com>

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## CIWQS program web-site

1 message

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**Original Sixteen to One Mine, Inc.** <original1621@gmail.com>

Sat, Jan 2, 2016 at 4:19 PM

To: aserratos@waterboards.ca.gov

Cc: Michael Miller <mmeistermiller@gmail.com>

PLEASE provide instructions for using the CIWQS site to submit our test results. I am surprised that I was not notified of this requirement with the "notice of deficient reporting" that was sent out in November.

*Rae Bell Arbogast*

*Administrative Assistant*

*530-287-3223*



Rae Bell Arbogast &lt;original1621@gmail.com&gt;

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**Deficient reporting question**

1 message

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**Original Sixteen to One Mine, Inc.** <original1621@gmail.com>

Mon, Nov 23, 2015 at 11:30 AM

To: aserratos@waterboards.ca.gov

Alejandra:

I understand that you are the new compliance person for the Sixteen to One Mine. We got the attached notice in the mail on Friday.

I volunteered to do the quarterly water sampling and I submitted the results, but evidently my report was not deemed sufficient. Attached are the lab reports. I am assuming they have the missing info. on them? Would it be OK to just submit the reports from the lab rather than doing our own spreadsheet? I would include supplemental information for what we do in house: flow and temp

Please advise.

Thank you

*Rae Bell Arbogast*

*Administrative Assistant*

530-287-3223

**SIXTEEN TO ONE DEFICIENT REPORTING.pdf**

538K



Michael Miller &lt;mmeistermiller@gmail.com&gt;

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**ACL Settlement Meeting - Regional Board**

11 messages

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**Holmes, Kari@Waterboards** <kari.holmes@waterboards.ca.gov>

Thu, Feb 25, 2016 at 12:06 PM

To: "mmeistermiller@gmail.com" &lt;mmeistermiller@gmail.com&gt;

Cc: "original1621@gmail.com" &lt;original1621@gmail.com&gt;, "raebell44@gmail.com" &lt;raebell44@gmail.com&gt;, "Serratos, Alejandra@Waterboards" &lt;Alejandra.Serratos@waterboards.ca.gov&gt;

Mr. Miller,

I would like to arrange a settlement meeting with you regarding the ACL Complaint R5-2016-0511. Are you available to either come into the Regional Board office in Rancho Cordova or participate in a conference call on any of the following dates/times next week? I anticipate a maximum of 1.5 hours.

Wednesday March 2<sup>nd</sup> from 8:30-10

Thursday March 3<sup>rd</sup> anytime between 9am and 1pm

Please let me know if either of these days work for you.

Thank you,

Kari

*Kari Holmes, P.E.*

Senior Water Resources Control Engineer

NPDES Compliance and Enforcement

Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA 95670

(916) 464-4623

kholmes@waterboards.ca.gov

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**Michael Miller** <mmeistermiller@gmail.com>

Thu, Feb 25, 2016 at 12:37 PM



To: "Holmes, Kari@Waterboards" <kari.holmes@waterboards.ca.gov>

I just realized that I have a directors meeting on March 3. March 2 will be a struggle Is February 29 at 1pm or so possible?

MMM

[Quoted text hidden]

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**Holmes, Kari@Waterboards** <kari.holmes@waterboards.ca.gov>

Thu, Feb 25, 2016 at 12:46 PM

To: Michael Miller <mmeistermiller@gmail.com>

Yes, Monday at 1:00 will work just fine. Would you like to come in or call in?

**From:** Michael Miller [mailto:mmeistermiller@gmail.com]

**Sent:** Thursday, February 25, 2016 12:37 PM

**To:** Holmes, Kari@Waterboards

**Subject:** Re: ACL Settlement Meeting - Regional Board

[Quoted text hidden]

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**Michael Miller** <mmeistermiller@gmail.com>

Thu, Feb 25, 2016 at 1:39 PM

To: "Holmes, Kari@Waterboards" <kari.holmes@waterboards.ca.gov>

Can I call you now or you can call me 530, 287-3223

[Quoted text hidden]

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**Holmes, Kari@Waterboards** <kari.holmes@waterboards.ca.gov>

Thu, Feb 25, 2016 at 1:40 PM

To: Michael Miller <mmeistermiller@gmail.com>

I am just about to leave as I have a parent-teacher conference to run off to. Can I give you a call tomorrow morning?

**From:** Michael Miller [mailto:mmeistermiller@gmail.com]

**Sent:** Thursday, February 25, 2016 1:40 PM

[Quoted text hidden]

[Quoted text hidden]

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**Michael Miller** <mmeistermiller@gmail.com>

Thu, Feb 25, 2016 at 1:43 PM

To: "Holmes, Kari@Waterboards" <kari.holmes@waterboards.ca.gov>

Ouch. What time tomorrow is good for you?

[Quoted text hidden]

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**Holmes, Kari@Waterboards** <kari.holmes@waterboards.ca.gov>

Thu, Feb 25, 2016 at 1:43 PM

To: Michael Miller <mmeistermiller@gmail.com>

Any time J

**From:** Michael Miller [mailto:mmeistermiller@gmail.com]

**Sent:** Thursday, February 25, 2016 1:44 PM

[Quoted text hidden]

[Quoted text hidden]

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**Michael Miller** <mmeistermiller@gmail.com>

Thu, Feb 25, 2016 at 1:45 PM

To: "Holmes, Kari@Waterboards" <kari.holmes@waterboards.ca.gov>

I'll call you but not sure of time.

Thanks.

[Quoted text hidden]

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**Holmes, Kari@Waterboards** <kari.holmes@waterboards.ca.gov>

Thu, Feb 25, 2016 at 1:45 PM

To: Michael Miller <mmeistermiller@gmail.com>

Great, talk with you tomorrow.

**From:** Michael Miller [mailto:mmeistermiller@gmail.com]

**Sent:** Thursday, February 25, 2016 1:45 PM

[Quoted text hidden]

[Quoted text hidden]

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**Holmes, Kari@Waterboards** <kari.holmes@waterboards.ca.gov>

Fri, Feb 26, 2016 at 10:51 AM

To: Michael Miller <mmeistermiller@gmail.com>

Hi Mike,

Received your message. I was unable to arrange the meeting earlier than 1:00pm as our staff has schedule conflicts. We are set to meet Monday the 29<sup>th</sup> at 1pm here in our Rancho Cordova office. Please confirm that this will work. Additionally, it is a confidential meeting environment so we are able to speak about permit compliance and the issues at hand openly.

Thanks,

Kari

**From:** Michael Miller [mailto:mmeistermiller@gmail.com]

**Sent:** Thursday, February 25, 2016 1:45 PM

[Quoted text hidden]

[Quoted text hidden]

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**Michael Miller** <mmeistermiller@gmail.com>

Fri, Feb 26, 2016 at 12:45 PM

To: "Holmes, Kari@Waterboards" <kari.holmes@waterboards.ca.gov>

Kari,

Your phone message indicated we could start discussions at 12:30pm. I will be in the building either before 12:30 or at that time. My time conflict is the need to be back on the road by 1:30pm to get to the next scheduled meeting. I am interested in working with staff to learn more about the antimony testing. When staff and I worked on the permit, I was told that when an issue such as permit compliance arose, it would be discussed. My intent is to accomplish this and move forward.

Please identify all water permits in the Northern Sierra Nevada with an antimony issue. It is public information and my intent is to contact all for assistance in satisfying this issue. No need to reinvent the wheel. Encourage staff to bring as much information about this new requirement so we can solve all problems or concerns.

Mike

[Quoted text hidden]



Rae Bell Arbogast &lt;original1621@gmail.com&gt;

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**Fwd: 1 March 2016 Letter**

1 message

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**Michael Miller** <mmeistermiller@gmail.com>  
To: Rae Bell Arbogast <original1621@gmail.com>

Wed, Mar 9, 2016 at 4:06 PM

----- Forwarded message -----

From: **Wyels, Wendy@Waterboards** <Wendy.Wyels@waterboards.ca.gov>

Date: Wed, Mar 9, 2016 at 3:39 PM

Subject: Re: 1 March 2016 Letter

To: "mmeistermiller@gmail.com" &lt;mmeistermiller@gmail.com&gt;

Cc: "Holmes, Kari@Waterboards" &lt;kari.holmes@waterboards.ca.gov&gt;, "Serratos, Alejandra@Waterboards" &lt;Alejandra.Serratos@waterboards.ca.gov&gt;, "Ellison, Kailyn@Waterboards" &lt;Kailyn.Ellison@waterboards.ca.gov&gt;

Mr. Miller,

We are in receipt of your 1 March 2016 letter regarding the Fourth Quarter 2015 monitoring report. You state that the pumps were off so it was difficult to get an effluent sample without stirring up the bottom sediment. You asked how to "mitigate this test result". Water Board staff suggest obtaining future samples while the pumps are running to avoid collecting samples that are high in suspended solids.

The information provided in your letter does not contain sufficient information (e.g. laboratory sample QA/QC error) that can be used to describe circumstances that would allow the Water Board to deem this sample as invalid. Therefore, a preliminary review of the Fourth Quarter 2015 data shows effluent limit exceedances for Total Suspended Solids and Iron. These violations may be subject to mandatory minimum penalties. Staff will make a formal determination at a later date and will provide you with additional notification.

*Wendy Wyels*

Supervisor, Compliance and Enforcement Section

Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA 95670

(916) 464-4835

wwyels@waterboards.ca.gov



Rae Bell Arbogast &lt;original1621@gmail.com&gt;

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**RE: 1 March 2016 Letter**

1 message

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**Wyels, Wendy@Waterboards** <Wendy.Wyels@waterboards.ca.gov>

Mon, Mar 14, 2016 at 11:03 AM

To: Michael Miller &lt;mmeistermiller@gmail.com&gt;, Rae Bell Arbogast &lt;original1621@gmail.com&gt;

Cc: "Holmes, Kari@Waterboards" &lt;kari.holmes@waterboards.ca.gov&gt;, "Serratos, Alejandra@Waterboards" &lt;Alejandra.Serratos@waterboards.ca.gov&gt;

Michael,

As we discussed, Board staff have little leeway when required to implement the specifics of the California Water Code. In regard to the fourth quarter 2015 monitoring report, you report that the flow from the tunnel was 0.08 mgd (i.e., 80,000 gallons per day). This is the same flow that was reported during the third quarter 2015. You did not describe how you calculated the flow or if there were problems when you collected the sample. This information should be included in the cover letter, but you're not submitting one.

If you submit your laboratory data sheets for the second, third, and fourth quarter 2015 monitoring reports then we can look to see if there is any indication of error in the lab's analysis.

Also, I want to remind you that the Time Schedule Order, which provides two years of protection from mandatory minimum penalties, is based on your proposal to "consider four control and/or treatment options to comply with the final effluent limitations." The TSO required that you submit a progress report by 31 January 2016 describing the work that you've done so far. We haven't received this report. This report is crucial for you to show that you're making progress toward the 31 March 2017 deadline to select a treatment alternative. Please let me know when you'll submit the report.

*Wendy Wyels*

Supervisor, Compliance and Enforcement Section

Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA 95670

(916) 464-4835

wwyels@waterboards.ca.gov



# ORIGINAL SIXTEEN to ONE MINE, Inc.

"100 Years of Gold"

Post Office Box 909 • Alleghany, California 95910  
(530) 287-3223 • [www.origsix.com](http://www.origsix.com)

March 1, 2016

Wendy Wyels  
Compliance and Enforcement Division

RE: WDR Order R5-2015-002 Self Monitoring Report Review and Notice of Violation dated 2/16/16.

Please see attached copy of the report that was submitted to CRWQB on 1/30/16. Please note the "observations" on the bottom of the page "Pumps off, difficult to get effluent sample without stirring up the bottom". This explains why the suspended solids were high.

What is the procedure to mitigate this test result?

Sincerely,

Michael M. Miller  
President

R5-2015-0035										
Constituents	Results	MDLS	RLS	AMEL	MDEL	Units	Sample Type	Sampling Frequency		
E-4 Effluent (21 Tunnel)										
Flow	0.08					MGD	Estimate	quarterly		
DO	7.58	0.05 mg/L	0.1			mg/l	Grab	quarterly		
EC @ 25 celcius	1440	0.5 umhos/cm	0.5	1426	2867	umhos/cm	Grab	quarterly		
Hardness (as CaCO3)	383		1			mg/L	Grab	quarterly		
PH	7.8	0.1 PH Units	1			Ph Units	Grab	quarterly		
Total Suspended solids	41	1 mg/L	1			mg/L	Grab	quarterly		
Antimony Total	41.1	6 ug/L	6	35	50	ug/L	Grab	quarterly		
Arsenic Total	883	2 ug/L	2	700	1000	ug/L	Grab	quarterly		
Cadmium Total	30.2	1 ug/L	1	30	50	ug/L	Grab	quarterly		
Copper Total	ND	10 ug/L	10	10	15	ug/L	Grab	quarterly		
Iron Total	3050	100 ug/L	100	2100	2500	ug/L	Grab	quarterly		
Lead Total	3.6	2 ug/l	2	5	15	ug/L	Grab	quarterly		
Manganese Total	95	10 ug/L	10	150	200	ug/L	Grab	quarterly		
Nickel, Total	126	10 ug/L	10	150	200	ug/L	Grab	quarterly		
Priority Pollutants						mg/l	Grab	2017 biannual		
Chronic Toxicity								Once per permit cycle		
RSW-001 (100 feet upstream)										
Flow	11,069					MGD	Estimate	quarterly		
PH	6.9	0.1 PH Units	1			PH Units	Grab	quarterly		
temperature F.	32					mg/l	Grab	quarterly		
DO	4.5	0.05 mg/L	0.1			umhos/cm	Grab	quarterly		
EC @ 25 celcius	117	0.5 umhos/cm	0.5			mg/l	Grab	quarterly		
Hardness (as CaCO3)	39		1			NTU	Grab	quarterly		
Turbidity	0.35	1 mg/L	0.1			ug/l	Grab	quarterly		
Arsenic Total	3.4	2 ug/L	2	700	1000	mg/l	Grab	2017 biannual		
priority pollutants										
RSW-002 (300 feet downstream)										
Flow	22,154					MGD	Estimate	quarterly		
PH	6.9	0.1 PH Units	1			PH Units	Grab	quarterly		
temperature F.	32					mg/l	Grab	quarterly		
DO	9.7	0.05 mg/L	0.1			umhos/cm	Grab	quarterly		
EC @ 25 celcius	128	0.5 umhos/cm	0.5			mg/l	Grab	quarterly		
Hardness (as CaCO3)	42		1			NTU	Grab	quarterly		
Turbidity	0.65	1 mg/L	0.1			ug/l	Grab	quarterly		
Arsenic Total	11.5	2 ug/L	2	700	1000	mg/l	Grab	2017 biannual		
priority pollutants										
OBSERVATIONS										
Pumps off, difficult to get effluent sample without stiring up the bottom										



Rae Bell Arbogast &lt;original1621@gmail.com&gt;

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**Re: 4th quarter test results**

1 message

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**Original Sixteen to One Mine, Inc.** <original1621@gmail.com>

Thu, Mar 10, 2016 at 9:46 AM

To: "Wyels, Wendy@Waterboards" &lt;Wendy.Wyels@waterboards.ca.gov&gt;

Cc: Michael Miller &lt;mmeistermiller@gmail.com&gt;, "Holmes, Kari@Waterboards"

&lt;kari.holmes@waterboards.ca.gov&gt;, "Serratos, Alejandra@Waterboards"

&lt;Alejandra.Serratos@waterboards.ca.gov&gt;

Can't the person who collected the water sample also report a "quality control" mistake? This is exactly what it was, a mistake made when I took the samples. I am just learning how to do this. Unfortunately the mine is not in a financial position to be able to hire an engineer to do this for us.

*Rae Bell Arbogast**Administrative Assistant*

530-287-3223

On Thu, Mar 10, 2016 at 8:04 AM, Wyels, Wendy@Waterboards <Wendy.Wyels@waterboards.ca.gov> wrote:

Once in a while, the analytical laboratory will make a mistake. This will be shown on the Quality Assurance/Quality Control part of the laboratory report.

**From:** Original Sixteen to One Mine, Inc. [mailto:original1621@gmail.com]**Sent:** Wednesday, March 09, 2016 4:13 PM**To:** Wyels, Wendy@Waterboards**Cc:** Michael Miller**Subject:** 4th quarter test results

Wendy,

Please explain what a QA/QC error is.

Thank you.

*Rae Bell Arbogast**Administrative Assistant*

530-287-3223



**From:** Michael Miller [mailto:mmeistermiller@gmail.com]  
**Sent:** Thursday, March 10, 2016 2:10 PM  
**To:** Wyels, Wendy@Waterboards; Rae Bell Arbogast  
**Subject:** Re: 1 March 2016 Letter

Dear Windy,

We take our responsibility to test the discharge seriously. Compounding harsh financial penalties is not appropriate. I understand your inability to work with us for the one test of antimony when we met. The fourth quarter 2015 data shows a problem with total suspended solids and iron which is likely a one time event.

We ask that this situation is addressed for what is is and not add it to the mmp situation. By your letter, it seems there remains something to be determined. the fourth quarter 2015 data shows a problem with total suspended solids and iron. Water discharge during the fourth quarter was extremely low due to weather conditions. This accounts for the reported increase in the sample for solids and iron. The iron comes from past approved (by water agency) requirements to take measures to reduce the naturally occurring arsenic. Arsenic attaches to iron, which is what the agency wanted. Now some small amounts of iron remain even though we worked to remove the iron shavings. Both of these occurrences do not affect Kanaka Creek or the downstream waters. Without the pumps, the water flow is quite small.

We want help not financial penalties in all water issues. It is necessary to consider the actual situation in Alleghany to determine if an adverse result is happening to the water. A open, non-bias view is appreciated.

Regards,

Mike Miller.

PS: Thank you for working with Rae. She has undertaken the water compliance and is a solid person to do the work.

On Wed, Mar 9, 2016 at 3:39 PM, Wyels, Wendy@Waterboards <Wendy.Wyels@waterboards.ca.gov> wrote:

Mr. Miller,

We are in receipt of your 1 March 2016 letter regarding the Fourth Quarter 2015 monitoring report. You state that the pumps were off so it was difficult to get an effluent sample without stirring up the bottom sediment. You asked how to "mitigate this test result". Water Board staff suggest obtaining future samples while the pumps are running to avoid collecting samples that are high in suspended solids.

The information provided in your letter does not contain sufficient information (e.g. laboratory sample QA/QC error) that can be used to describe circumstances that would allow the Water Board to deem this sample as

invalid. Therefore, a preliminary review of the Fourth Quarter 2015 data shows effluent limit exceedances for Total Suspended Solids and Iron. These violations may be subject to mandatory minimum penalties. Staff will make a formal determination at a later date and will provide you with additional notification.

*Wendy Wyels*

Supervisor, Compliance and Enforcement Section

Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA 95670

(916) 464-4835

[wwyels@waterboards.ca.gov](mailto:wwyels@waterboards.ca.gov)



Michael Miller &lt;mmeistermiller@gmail.com&gt;

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**water quality goals**

2 messages

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**Michael Miller** <mmeistermiller@gmail.com>  
To: jmarshack@waterboards.ca.gov

Mon, Nov 3, 2014 at 3:44 PM

November 2, 2014

Dear Jon Marshack,

I am president of an old California gold mining company. On February 5/6 2015, the Central Valley Board will review a permit application. I am concerned about the 2C classification. A 3C is more appropriate. There is a disclaimer in A Compilation of Water Quality Goals – April 2011 Edition on page iii that intrigues me. "The overseeing regulatory authority may decide to use the information provided herein, or to act at a variance with the information, based on analysis of site and case-specific circumstances." Does the Central Valley Board follow this or only the State Water Board?

Michael M. Miller

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**Marshack, Jon@Waterboards** <Jon.Marshack@waterboards.ca.gov>

Tue, Nov 4, 2014 at 8:24 AM

To: Michael Miller &lt;mmeistermiller@gmail.com&gt;

Michael,

First of all, the April 2011 edition of Water Quality Goals is the latest staff report. The database of water quality thresholds, associated with the report, is updated regularly. It was last updated on August 21 of this year.

Second, there are aspects of the Water Quality Goals methodology of selecting applicable thresholds that are open to varying interpretation. Turning the narrative water quality objectives in the basin plan (e.g., Toxicity, Tastes and Odors) into enforceable numeric limits involves interpretation. Site and case specific factors play into this process, whether at the State Water Board or at a Regional Water Board.

There are other aspects of the information in Water Quality Goals about which there is little flexibility. Numeric water quality standards must be implemented without variation. Examples of numeric standards include the numeric water quality objectives in the basin plan and the California Toxics Rule criteria promulgated by USEPA. These apply to waters of the state for which beneficial uses have been designated by the State or Regional Water Board.

Hopefully, this answers your questions. If not, please let me know.

Jon



Jon B. Marshack, D.Env.

Executive Director

California Water Quality Monitoring Council

Office of Information Management & Analysis

State Water Resources Control Board

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**From:** Michael Miller [<mailto:mmeistermiller@gmail.com>]

**Sent:** Monday, November 03, 2014 3:45 PM

**To:** Marshack, Jon@Waterboards

**Subject:** water quality goals

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**Minutes of the Regular meeting of the Alleghany County Water District Board of Directors  
Tuesday, February 9<sup>th</sup>, 2016 Alleghany Firehouse, 105 Plaza Court Alleghany**

**Call to Order:** 6:05 pm

**PERTINENT INFO HIGHLIGHTED  
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**Quorum Established:** Present were directors Rae Bell, Madeleine Hamb and Robbin DeWeese. Secretary Leslie Baker was present and took the minutes. Also present was Water Treatment Operator Bruce Coons and Water Distribution Assistant Eddy Snyder. Also present: Ernest & Nancy Finney, Kari Tenney, Becky Wilkerson, Venus Adams, Michael Miller, Supervisor Lee Adams, and State DDW Inspector Dr. Stephen Rooklidge.

**Consent Calendar:** The President asked the Board for approval to take the Treasury Report off the Consent Calendar and to move Public response time after Information/Discussion items, there was no objection.

- A. Reading and approval of the minutes for the meeting dated January 12<sup>th</sup>, 2016  
Reading and approval of the minutes for the special meeting dated January 21<sup>st</sup>, 2016  
Reading and approval of the minutes for the special meeting dated January 26<sup>th</sup>, 2016
- B. Approval of Treasury Report and Claims for January 2016
- C. Approval of engagement letter from Boden Klein and Sneesby CPAs for 15/16 independent audit.

**Motion made to approve Consent Calendar with correction to Jan 21<sup>st</sup> minutes made by Robbin, Madeleine second: ayes unanimous.**

**Information/Discussion Items:      Correspondence:**

**OUTGOING:**

- 1/14/16 Letter sent to Diane Winslow, thanking her for applying and letting her know that the bookkeeping position had been filled.
- 1/23/16 Memo to Board Re: David McMurchie's opinion re: Tiered rates and request to set up special meeting on the 26th.
- 1/28/16 Hand delivered copy of ACWD ordinances to Venus Adams, also, copy of Jan 26th meeting packet and 2013 water usage to Vicky Tenney's residence.

**INCOMING:**

- 1/15/16 A Thank you from Diane Winslow for the opportunity to apply for the bookkeeping position.
- 1/26/16 Citation from CRWQB re: failure to follow proper follow-up testing procedure.
- 2/2/16 a new rate proposal was sent out under prop. 218 procedure, included copy of public notice re: failure to follow proper testing procedures.

**E-mails "back and forth":**

- Inquiries were made about Capistrano decision with CRWA and CSDA.
- Inquiries re: Conflict of interests and 10% rule between: Rae Bell, Heather Foster, Fair Political Practices Board and Regional Water Quality Control Board.
- Altec engineering and various engineers re: Planning Project
- Marsha Burke: re legal review of new prop. 218 notice.



### **Water Treatment Operator Report:**

Bruce explained that we got a citation because the December water test showed bacteria, but the lab did not notice it and did not notify ACWD within 24 hours as required by state law. Follow-up tests were done in January with no bacteria found, but the citation was issued anyway because the follow up tests were not done within the required timeframe. It was noted that the lab made a mistake with the January water tests but it was caught in time to get them to correct it. The current treated water test for February showed no residual chlorine, Bruce will notify the lab as it appears they messed up again. Rae Bell reported that the lab was under new ownership and seems to be having problems. Stephen Rooklidge confirmed that the state has gotten complaints from other districts using the same lab.

Bruce is getting fittings and tubing to fix air leaks at the treatment plant. He also stated that one of the compressors needs to be re-built again.

He also reported that the membrane pressure got very high after the recent rain storms, but he and Eddy cleaned the membranes and the pressure has come down.

**Library Report:** Robbin DeWeese has been hired as the new Librarian for the Alleghany branch of the Plumas County Public Library.

**Park Report:** Rae did a routine check of the bathroom.

**Public Response Time:** Questions were posed to Dr. Stephen Rooklidge as listed above.

### **New Business:**

- A. Conflict of interest, Fair Political Practices and California Regional Water Quality Control Board compliance. Covered during President's report.
- B. Resolution # 97 authorization to hire hydrogeologist and environmental expert for Planning Project: Carried forward to March meeting. No recommendation as of yet.
- C. Appointment of officers for Calendar year 2016 per bylaws: Rae Bell to continue as Board President motion; made by Robbin, Madeleine seconds, motion carried. Vice-President Position left vacant until the board vacancies are filled.
- D. Recording meetings: The Board considered whether or not to begin doing audio recordings of all meetings. It was noted that recordings are subject to the public records act. Most districts queried on the CSDA list serve have a policy of destroying the recordings after 30 days. No decision was made regarding this and it was tabled to the next meeting.
- E.
  - 1. Resignation of Larry Vieira letter received: motion to accept made by Madeleine, Robbin second, ayes unanimous
  - 2. Resignation of Sherrie Allen letter received: motion to accept made by Robbin, Madeleine second, ayes unanimous
  - 3. The new appointments will be made at a special meeting on March 22<sup>nd</sup> after the public hearing. (The next regular meeting is only 28 days after the Feb. meeting and the April meeting is more than 60 days following acceptance of the resignations) The Vacancy Posting will be done per the instructions provided by Heather Foster Sierra County Clerk-recorder and the district's by-laws. A member of the public requested that Casey's Place be used as one of the "Public Posting" places. Rae will ask the proprietor if this is ok.